

AMERICANS SPEAK UP

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, Americans are speaking up about rising gas prices.

The polls show that well over 60 to 70 percent of Americans support exploration of American oil and natural gas reserves, and we are seeing a vocal outpouring of disappointment in Washington's refusal to take action.

For example, former Speaker of the House Newt Gingrich has put a petition on his Web site asking Americans to send a message to Washington that we need to "Drill Here, Drill Now, and Pay Less." As of today, the petition has over 1.1 million signatures. Surely this is only a snapshot of the millions more in America who are feeling the pinch from rising energy prices. That is the bad news.

The good news is that House Republicans have a plan to reduce our dependence on foreign oil, invest in a future of renewable, cleaner energy resources, and ask the American people to participate through conservation. We have a plan, and the American people have the will to put that plan into action if House Democrats stop standing in the way.

In conclusion, God bless our troops, and we will never forget September the 11th.

OFFSHORE ENERGY EXPLORATION IS LONG OVERDUE

(Mr. CALVERT asked and was given permission to address the House for 1 minute.)

Mr. CALVERT. Madam Speaker, the American people recognize that expanding our offshore energy exploration is long overdue. Unfortunately, my Democratic colleagues have failed to reach this obvious conclusion, so let me offer them some help.

This is our country. This is our country's Outer Continental Shelf. There is oil and natural gas in the Outer Continental Shelf that belongs to us, the American people. As offshore oil production increases, our domestic oil supply increases. As oil supplies increase, prices will decline. Let me repeat that for my Democratic colleagues.

This is our country. This is our country's Outer Continental Shelf. There is oil and natural gas in the Outer Continental Shelf that belongs to us, the American people. As offshore oil production increases, our domestic oil supply increases. As supplies increase, prices will decline.

Hopefully, for the sake of the Americans that are suffering at the gas pump, our Democratic colleagues can learn what everybody else in the world has known all along: If you have energy resources, use them.

CONGRATULATING THE TOWN OF JONESVILLE ON ITS NEW TOWN HALL

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, today I want to congratulate the people of Jonesville, North Carolina on the completion of their new town hall. Jonesville's new town hall will serve both as a government center and the hub for the town's tourism outreach efforts.

While I was unable to attend the grand opening event this past Friday due to Congress being in session, congratulations are in order for everyone in Jonesville who helped make this important project a success. I want to praise Mayor Lindbergh Swain for his leadership and also the people at USDA Rural Development for their help in securing critical financing for the new town hall.

This town hall, which replaces the town's more than half century old town hall, promises not only to give the town a new government seat but also to bolster the local tourist economy. Tourism is a growing segment of the local economy in Yadkin and surrounding counties, and this new facility is a wise investment in drawing new tourist dollars to Jonesville. I applaud Jonesville for its forward thinking mindset, and hope to visit the new town hall in the coming weeks.

ENERGY INDEPENDENCE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, soon we will be breaking for the July 4 district work period. July 4, Independence Day. But what are we doing about making us, the American people, independent of foreign oil and foreign energy? If you look at the record in this House, absolutely nothing.

The first response we had from the majority was denial. They say this supply will do nothing. Well, of course it will do nothing unless you explore it and produce it.

Then they say energy will be produced by lawsuit. We have got a bill coming out of the Judiciary Committee. Sue, sue, sue, and somehow that is going to give you more energy.

The American people are smart. They understand that if we have a precious resource granted to us, we ought to use it.

Independence Day, July 4. Why can't we bring at least one bill to the floor that would begin to give us energy independence?

FIXING THE ENERGY PROBLEM

(Mr. ROHRABACHER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Madam Speaker, for 30 years, we have seen the development of new major gas and oil developments in our country thwarted. For 30 years, we have had no new nuclear reactors built in this country to provide us electricity. For 30 years, we have seen no new refineries being built in this country. For 30 years, we haven't even seen a hydroelectric dam being built in this country. And people ask why are we paying \$4 and \$5 a gallon for gasoline now?

Well, what has happened, of course, is we have put ourselves in a position where the discretionary income of our people is being robbed from them because we were acting irresponsibly for these last 30 years. Congressmen, elected representatives of the people, did not stand up to a radical element which opposed all of these energy alternatives for America and has left us vulnerable to our enemies overseas.

It is about time we speak up, we stand up, and we do what is right so we can fix this problem that was caused by inaction for the last 30 years.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

NATIONAL GUARD AND RESERVISTS DEBT RELIEF ACT OF 2008

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4044) to amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 60 days, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Guard and Reservists Debt Relief Act of 2008".

SEC. 2. AMENDMENTS.

Section 707(b)(2)(D) of title 11, United States Code, is amended—

(1) in clauses (i) and (ii)—

(A) by indenting the left margin of such clauses 2 ems to the right, and

(B) by redesignating such clauses as subclauses (1) and (11), respectively,

(2) by striking "if the debtor is a disabled veteran" and inserting the following:

"if—

"(i) the debtor is a disabled veteran",
(3) by striking the period at the end and inserting "; or", and

(4) by adding at the end the following:

"(ii) while—

"(I) the debtor is—

"(aa) on, and during the 540-day period beginning immediately after the debtor is released from, a period of active duty (as defined in section 101(d)(1) of title 10) of not less than 90 days; or

"(bb) performing, and during the 540-day period beginning immediately after the debtor is no longer performing, a homeland defense activity (as defined in section 901(1) of title 32) performed for a period of not less than 90 days; and

"(II) if after September 11, 2001, the debtor while a member of a reserve component of the Armed Forces or a member of the National Guard, was called to such active duty or performed such homeland defense activity.".

SEC. 3. GAO STUDY.

(a) COMPTROLLER GENERAL STUDY.—Not later than 2 years after the effective date of this Act, the Comptroller General shall complete and transmit to the Speaker of the House of Representatives and the President pro tempore of the Senate, a study of the use and the effects of the provisions of law amended (and as amended) by this Act. Such study shall address, at a minimum—

(1) whether and to what degree members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(2) whether and to what degree such members are debtors in cases under title 11 of the United States Code that are substantially related to service that qualifies such members for the benefits of such provisions,

(3) whether and to what degree such members are debtors in cases under such title that are materially related to such service, and

(4) the effects that the use by such members of section 707(b)(2)(D) of such title, as amended by this Act, has on the bankruptcy system, creditors, and the debt-incurrence practices of such members.

(b) FACTORS.—For purposes of subsection (a)—

(1) a case shall be considered to be substantially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of the provisions of law amended (and as amended) by this Act if more than 33 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service,

(2) a case shall be considered to be materially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of such provisions if more than 10 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service, and

(3) the term "effects" means—

(A) with respect to the bankruptcy system and creditors—

(i) the number of cases under title 11 of the United States Code in which members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(ii) the aggregate amount of debt in such cases,

(iii) the aggregate amount of debt of such members discharged in cases under chapter 7 of such title,

(iv) the aggregate amount of debt of such members in cases under chapter 7 of such title as of the time such cases are converted to cases under chapter 13 of such title,

(v) the amount of resources expended by the bankruptcy courts and by the bankruptcy trust-

ees, stated separately, in cases under title 11 of the United States Code in which such members avail themselves of the benefits of such provisions, and

(vi) whether and to what extent there is any indicia of abuse or potential abuse of such provisions, and

(B) with respect to debt-incurrence practices—
(i) any increase in the average levels of debt incurred by such members before, during, or after such service,

(ii) any indicia of changes in debt-incurrence practices adopted by such members in anticipation of benefitting from such provisions in any potential case under such title; and

(iii) any indicia of abuse or potential abuse of such provisions reflected in the debt-incurrence of such members.

SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall apply only with respect to cases commenced under title 11 of the United States Code in the 3-year period beginning on the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

Members of the House, the National Guard and Reservists Debt Relief Act is a part of the idea of improving the Bankruptcy Abuse Prevention Act signed into law by President Bush 3 years ago. It effectuated a comprehensive overhaul of bankruptcy, especially with regards to consumers. These consumer bankruptcy amendments included the establishment of a means testing mechanism to determine a debtor's ability to repay debts. Under this test, a chapter 7 bankruptcy case is presumed to be an abuse if it appears that a debtor has income in excess of certain thresholds.

The measure before us today would exempt certain qualifying National Guard members and Reserve members from the means test presumption of abuse. Come to think of it, I would like to exempt some other people as well.

But this legislation addresses the issue of fundamental fairness. Those who find themselves in financial difficulty as a result of service in the National Guard or being activated into it or the aftermath of their service, particularly overseas, should not face the additional burden of the means test.

Since September 11, 2001, almost one-half million members of the National

Guard and Reserves have been called to Iraq and Afghanistan. Some of them have even served multiple tours of duty. And so it is easy to understand that these unanticipated deployments disrupt their lives and their family members and leads to financial hardship. So we are happy for the gentlelady from Chicago, Illinois, JAN SCHAKOWSKY, who has included an effort that has attracted our colleagues on both sides of the aisle. I am very happy to report this from the Judiciary Committee.

I reserve the balance of my time.

□ 1415

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise in support of H.R. 4044, the National Guard and Reservists Debt Relief Act of 2008. I am happy that the House is considering today this bipartisan legislation.

As the gentleman from Michigan, the chairman of the committee mentioned, several years ago we passed the Bankruptcy Abuse Prevention and Consumer Protection Act. The purpose was to ensure that bankruptcy procedures were still allowed for those who needed them, and yet the abuses that we had seen in the years leading up to the bill would be reduced if not eliminated. It received bipartisan support.

Today's bill deals with a part of that scene that needs to be addressed and addressed immediately. Republicans strongly support the mission and appreciate the sacrifice of our dedicated reservists and guardsmen. As many people know, we rely far more on our National Guard and Reservists in the conflict that we have ongoing in the Middle East today than we have in previous conflicts. That was a conscious decision by the Congress of the United States over the last couple of decades.

As a result, many, many more dedicated reservists and guardsmen are assuming responsibility in areas of conflict. We agree that reservists and guardsmen who are plunged into bankruptcy by the demands of their service should be given a helping hand under the bankruptcy code.

In committee, Republicans labored long and hard to achieve a workable compromise that would help these serving men and women. The major issue for committee Republicans was simple—that the bill respond to bankruptcies attributable to a reservist's or guardsman's service.

This bill does not perfectly meet that concern. However, it is part of the art of compromise and it meets it sufficiently for committee Republicans to support passage.

It does this first by requiring an important study by the GAO. The study will examine the degree to which bankruptcies benefiting from the bill are indeed attributable to service, as we hope they will be.

The study thus will help us to be sure of whether reservists and guardsmen are using the relief granted by the bill when it is their service that leads to

bankruptcy. And the study must be completed promptly within 2 years of enactment.

Secondly, the bill includes a 3-year sunset. When we are asked to reauthorize the bill, we will have the GAO study and report. And we will know for sure how the bill is working, and if it needs to be modified, how it should be modified. It is not my expectation that it would be abused, but if it is, we would be able to address that at the time the reauthorization is considered.

With these requirements added, I am pleased to support passage of the bill.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield 5 minutes to the gentleman from California, one of the major sponsors of this bill, active sponsor of this bill, Mr. DANA ROHRABACHER.

Mr. ROHRABACHER. Madam Speaker, I rise in strong support of this legislation.

Madam Speaker, today marks the culmination of work that should have been finished long ago. On April 14, 2005, the House considered S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, which was a much needed and responsible reform. Then in the minority, my colleague, Ms. SCHAKOWSKY, introduced a motion to recommit so that the bill would allow a targeted exemption from the bankruptcy means test for those National Guard and Reservists who had been called up after 9/11.

At the time of the floor debate, I was told by the Republican floor manager that the Schakowsky motion was redundant, that there was already such protection for our National Guard and Reservists under the Service Member's Civil Relief Act. Because of this, I voted against the motion and it failed on a party line vote, 220 yeas to 229 nays.

I soon found out that I and other Republican Members had been misinformed, apparently to prevent the then-minority from having any legislative success.

Yes, disabled veterans are exempt from the new bankruptcy means test, but not activated reservists and guardsmen, the men and women torn from their jobs and families, sent overseas to protect us were not to be given consideration under the Republican bankruptcy law unless they were disabled. Ms. SCHAKOWSKY's motion sought to correct that. In order to prevent even one success by the other party, the leaders of my party threw aside considering the well-being of our returning heroes.

A returning reservist or guardsman, who possibly left a lucrative job to answer the call of duty, gets the same tougher means test as everybody else. If they fail, they are presumed to be abusing the system as specified in chapter 7 of the bankruptcy law. Yes, they can then rebut the presumption of

abuse by demonstrating a special circumstance before the court. They can beg. They can jump through hoops, they can hire lawyers, and then it is at the discretion of the court to grant these homecoming heroes special circumstances and allow them a chapter 7 filing. This should have been in the bill in the first place, as well as Ms. SCHAKOWSKY's motion should have been accepted by the majority. It is a shame that it wasn't.

The Schakowsky motion would not have killed the bill, as some Members have argued since. In fact, because the motion asked the Judiciary Committee to report the bill forthwith, we could have considered the bill on that very same day. And even if that were not the case, as now we hear from my side so often as we point out a motion requiring a committee to report the bill promptly could still be brought up the next legislative day.

No, this motion failed so long ago because of the worst type of partisanship. It failed because Republicans did not want to admit that the Democrats could better their bill.

When I found that there was no adequate protection for our returning reservists and guardsmen, I pledged to work with my colleague, Ms. SCHAKOWSKY, and make it right.

Subsequently, I introduced legislation to amend the bankruptcy law. Unfortunately, the Republican leadership refused to bring my bill up to the floor for a vote and it took a change in the majority for this pro-reservist, pro-National Guard bill to be brought to the House floor today.

This measure isn't costing any new Federal dollars. There is no new massive appropriation. All it is is a consideration for these people who have risked their lives for us and are coming home. But my party couldn't get itself to provide consideration for our homecoming heroes even though there wasn't any major cost involved.

In the meantime, party control of the House changed, and Ms. SCHAKOWSKY and I have been working diligently to get this legislation to the floor and get it passed into law. We are now considering this bill under suspension which means it is pretty well recognized that this has widespread support. It should have been voted on by the majority or at least accepted a long time ago.

I encourage my colleagues who voted "no" on the motion to recommit 3 years ago because they were misled to vote in favor of this legislation. This bill is not a wedge to reopen the bankruptcy law. Rather, it is a narrow, targeted change modeled after existing exemptions for disabled veterans, America's heroes in neighborhoods throughout our country, who have been called up for deployments.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. CONYERS. I yield the gentleman 1 minute.

Mr. ROHRABACHER. This bill will ensure that America's heroes through-

out our country, who have often been called up for deployments that are for far longer than they were initially thought, will not pay a very high personal cost for their absence and their willingness to step forward.

As my colleague, Ms. SCHAKOWSKY, put it, these servicemembers have put their lives and livelihood on the line for us, and we owe them a great debt. This is one way that we can show our deep appreciation for the service of these people, as we should have done originally. Now it is time for us to repay that debt in a very bipartisan way. I thank very much my chairman and ranking member.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

First of all, I think that this bill might appropriately be renamed the Schakowsky-Rohrabacher provision because of the hard work that our colleague has done on the matter. I appreciate the fully bipartisan spirit that this committee, the Judiciary Committee, had in much evidence when we took this measure up.

And I close by asking my friends, the Blue Dogs on this side of the aisle and most of the Republicans, my Republican colleagues on the other side, that we might want to take a look at this means test which presumes you did something wrong if you are broke and in trouble. I mean, it occurs to me that under the economic circumstances we find ourselves in as a nation, anybody could flunk the means test and then be presumed to be irresponsible or not upstanding citizens. Credit ratings would be damaged profusely.

And so maybe we can look at this. We don't want to offend the banking lobby, don't get me wrong, but let's just take a peek at what we have wrought here in the name of improving the bankruptcy law which I was not in support of when it came forward.

Madam Speaker, with that I conclude my remarks, and I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

Once again I would just repeat this is a bipartisan bill brought to this floor with strong bipartisan support. Hopefully we will get a unanimous vote in favor of it. This is something that recognizes the unique situation our reservists and guardsmen and women are placed in when they leave the jobs that they have, go back to the theater of war, serve us well and run into difficulties as a result of that service from a financial standpoint.

We all agree that they should receive relief. I would hope that we can get people on the other side of the aisle to also agree that they ought to get relief from these extraordinary, out-of-character, unprecedented high gas prices that we have. What a shock it must be for our reservists and guardsmen to leave this country and do service for this country in a foreign land and then

return and find out that in the period of time they have been gone, all of a sudden gas prices have risen \$1.50, \$1.70, before they were even able to return.

So hopefully as we grant relief in this small particular area of bankruptcy law, we might also think about the relief not only for reservists and guardsmen but all Americans from the extraordinary costs that they are now being called upon to pay in the area of energy.

It is not just at the gas tank, it is rippling through the economy because transportation costs are built into the cost of just about everything that we have, and our friends on the other side of the aisle say, well, we will bring a lawsuit, maybe that will do something. Wind, solar, I support those, but I have yet to find a wind-powered car in my district, or a solar-powered car in my district.

And creeping up on us, although we are now involved in the middle of summer, the beginning of summer, but it feels like the middle of summer with the heat that is out there, creeping up on us is the extraordinary increase that we are seeing in the cost of natural gas. Natural gas supplies a good bit of the heating for the winter that we will find come November and December.

□ 1430

I have been informed that in California electricity is produced at least 60 percent by natural gas. We don't have to wait for our heating fuel. We can worry about the concerns that we have with air-conditioning supplied by electricity.

So all I'm saying, Madam Speaker, is that as we work on worthy legislation like this, there is other worthy legislation out there. And all we ask is what the American people ask: Give us a vote. Give us a chance to prove that the reserves that are available in the United States, American reserves, American oil, American natural gas, be utilized for Americans. If our enemy was doing this to us, we would be in a fighting mood, but unfortunately through our Congress, we're doing it to ourselves.

So at some point in time, hopefully in the not-too-distant future, we might be able to prevail on the other side to understand that supply makes a difference and help us bring those costs down as a result of increasing the product that is available to Americans from American sources.

Once again, Madam Speaker, I support H.R. 4044, the National Guard and Reservists Debt Relief Act of 2008.

Mr. CONYERS. Would the gentleman yield?

Mr. DANIEL E. LUNGREN. I yield to my good friend from Michigan, the chairman.

Mr. CONYERS. I want to thank my colleague for yielding.

I thought for a minute I was on a Special Order about "drill drill drill."

Has the leadership on your side instructed everybody to insert this sub-

ject into all of the debate this week because I would love to get into this. You didn't mention shale to coal. There's a whole range of opportunities for discussion here.

But I yield back, and I thank my colleague for his support.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, of course I cannot address the gentleman directly under the rules. So through the Chair, I would just say that yes, shale oil and tar sands are important. We happen to be the Saudi Arabia of those certain resources of God, placed here for us to use, and yet for one reason or another, we're almost afraid to use the word "drill." So I appreciate the chairman using the word "drill" three different times. That doesn't mean going to the dentist. That means drill for oil, drill for natural gas. That will be something which will help the American people.

So I would just say that I don't need my leadership to tell me about it. All I need to do is go home and see the prices of gasoline. All I need to do is listen to people. Seventy-some percent of the American people now, by the latest Fox poll, say they want more drilling, they want more production in America. The only group that doesn't have a 70-some percent support of it is this group, the House of Representatives. Either we're behind the times or we're ahead of the times. And I suspect we're behind the times.

And all I'm doing is asking my good friend, the chairman from Michigan, to understand that the people of Michigan suffer as much as the people of California when we fail to understand that we have resources that we could use. We ought to use American technology to develop American energy rather than having it developed all around the world.

Oh, and by the way, oil spills. They come from tankers. They come from tankers, not from offshore rigs. We ought to understand the more we're dependent upon foreign oil, the more tankers that supply the oceans and a greater possibility of a problem which would cause difficulty on our beaches and those beautiful waves that my friend from California enjoys surfing on in California.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H.R. 4044, the "National Guard and Reservists Debt Relief Act of 2008." This bill is important because it liberalizes the debt relief standard for those persons who are most deserving, our Nation's heroes that serve in the National Guard.

This bill is important because the President has made it more difficult for people to claim bankruptcy. Specifically, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (2005 Bankruptcy Act) was signed into law by President George W. Bush on April 20, 2005. The 2005 Bankruptcy Act is the most comprehensive overhaul of bankruptcy law in more than 25 years. The 2005 Bankruptcy Act makes particular changes to the consumer bankruptcy. The changes to consumer bankruptcy included, among other things, the establishment of a means testing mechanism to

determine a debtor's ability to repay debts. Under this test, a chapter 7 bankruptcy case is presumed to be an abuse if it appears that the debtor has income in excess of certain thresholds.

H.R. 4044 would exempt certain qualifying reserve component members of the Armed Services and National Guard members from the means test's presumption of abuse. This bill responds to the fact that some who serve in the National Guard and the Reserves encounter financial difficulties and that they should not be subject to the additional proof requirements of the means test.

I am a co-sponsor of this bill and I urge my colleagues to support it. This bill makes sense because often Armed Services personnel and Reservists receive high compensation when they are away on hazardous tours or combat zones. However, when these individuals return, their income is not as high. Therefore, it is unfair to subject these individuals to the means test. Simply, the means test is whether the person has the means to pay his or her debts. Hazard pay and temporary high pay for combat work is not necessarily a good indicator of a person's means or ability to pay. These individuals are serving our country and have legitimate financial concerns. I do not believe that they should be penalized. I believe we should help our armed services personnel for giving so much to fight for and protect this country. The least we can do is help them.

I firmly believe that we should celebrate our National Guard and Reservists, and I remain committed, as a Member of Congress, to ensuring that we demonstrate our respect for them. The National Guard and Reservists have kept their promise to serve our Nation; they have willingly risked their lives to protect the country we all love.

As the great British leader Winston Churchill famously stated, "Never in the field of human conflict was so much owed by so many to so few."

We must always remember the debt that we owe our National Guard and Reservists that are willing to lay down their lives for us and render the ultimate sacrifice for our freedom and security. Our gratitude must continue to be unwavering.

In the words of President John F. Kennedy, "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." It is not simply enough to sing the praises of our Nation's great veterans; I firmly believe that we must demonstrate by our actions how proud we are of our American heroes.

I urge my colleagues to support this bill.

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 4044, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 11 of the United States Code to exempt for a limited period, from the application of the means-test presumption of abuse under

chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.”.

A motion to reconsider was laid on the table.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AUTHORIZATION

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3546) to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF GRANTS.

Section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758) is amended by striking “for fiscal year 2006” through the period and inserting “for each of the fiscal years 2006 through 2012.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I would like to begin by yielding as much time as he may consume to our distinguished colleague from Georgia (Mr. JOHNSON) who has worked more diligently than I believe any Member in the House on this measure. He shepherded it through hearings and markup in Judiciary, and now we're on the floor.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

Madam Speaker, today I rise in support of my bill, H.R. 3546, which will reauthorize Byrne-JAG grants for local law enforcement.

Officer Edward Byrne was a rookie New York police officer in New York City when he was killed in the line of duty in February of 1988. Officer Byrne came from a family of police officers and was dedicated to cleaning up his beat in Queens.

Late on the night of February 26, 1988, Officer Byrne and his partner were staking out a house when he was murdered in his car, shot in the head five times with a pistol. He was only 22 years old.

Officer Byrne's sacrifice was not in vain. His murderers and the criminals who employed them were found, charged, and convicted. And today, in perpetuation of Officer Byrne's legacy, the Byrne-JAG grant program is now the only Federal program that funds crime fighting and prevention throughout the States across State lines and nationwide.

This program, Mr. Chairman and Madam Speaker, is more important now than ever. The slowing economy undermines the ability of local law enforcement to maintain and support crime prevention programs in our community as well as maintain order.

Already, cash-strapped local governments face lower tax revenues and higher crime rates and recidivism. Local officials depend on these Byrne-JAG grants to invest in law enforcement resources that keep crime and drugs out of our communities. In my home State of Georgia, these grants provide for a specialize core of drug enforcement agencies that work closely together cooperating with each other and the Federal Government. And nationwide, the results speak for themselves.

Byrne-JAG has led to the seizure of 54,000 weapons, the destruction of 5.5 million grams of methamphetamine, and the elimination of nearly 9,000 meth labs per year. Nevertheless, Congress has consistently underfunded this program, and President Bush threatens additional cuts in the 2009 fiscal budget fiscal year. But we can't afford to deny local governments the resources that they so desperately need to fight and prevent crime.

My bill will reauthorize Byrne-JAG funding at full 2006 levels, and I urge my colleagues in this body to support it.

In honor of Officer Edward Byrne, this program will help keep our streets, our kids, our fellow citizens, and our communities safe from criminal activity and drugs.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3546, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through the year 2012. This bill continues to fund the Department of Justice Byrne-JAG Grant Program that, as the gentleman from Georgia said, provides assistance to State and local law officials.

These grants support a broad range of activities to prevent and control crimes and to improve the criminal justice system. The department allocates funds using a formula based on State population and the annual Unified Crime Report statistics. The program does have a minimum allocation to ensure that each State and territory receive an appropriate share of the Federal funds.

Byrne-JAG funds can be used to pay for personnel overtime and equipment,

funds are used for Statewide initiatives, technical assistance and training, and support for local and rural jurisdictions.

I can say, Madam Speaker, that my experience in the past serving as the Attorney General of California allowed me to see the good work that the Byrne funds has done and continues to do, primarily in the area of multi-jurisdictional task forces as was mentioned by the gentleman from Georgia.

This is actually an area where we actually see a synergism that exists among different levels of government and their law enforcement personnel. It is always important that they have good leadership at each level, and the training that took place as a result of many of these multi-jurisdictional task forces actually created an improvement in the overall training for law enforcement across the country. It is a remarkable thing to see agents from different agencies, different departments, working together for a common purpose.

As the gentleman mentioned, you can, as a result of these task forces, count up the number of arrests made, the number of convictions obtained, the number of weapons taken off the street, the number of drugs taken off the street in each and every case making it safer for the people of the States of the United States.

On June 9, the Federal Bureau of Investigation released a 2007 Unified Crime Report detailing the statistics and tracking trends for violent crimes nationwide. The national rate for violent crimes, that is including robbery, sexual assault, and murder, decreased nationally. Unfortunately, the report also showed the rate of violent crime rate increased in some communities across the country. This is not by accident that we see an overall improvement across the country. It is the result of the work of many good men and women in uniform and the support to organizations that they have throughout this country.

We should understand that while sometimes the trend is to say that if something is a serious crime, it's a Federal crime; unless the FBI gets involved, it's not important, it's not going to be handled well. Well over 90 percent, well over 95 percent of all crime is investigated and prosecuted at the local and State level, not the Federal level. That's why these grants work very, very well when it encourages a multi-jurisdictional approach where you can find the abilities, the differing abilities of the agencies and departments, the coming together to work with one another.

Law enforcement officials remain committed to preventing crime and keeping our communities safe, and their efforts should be applauded. However, given the report, it is clear that additional steps need to be taken in order to continue to address the issue of crime.